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7 Attorneys for the United States of America

8 **IN THE UNITED STATES DISTRICT COURT FOR THE**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 UNITED STATES OF AMERICA and)	
12 LINDA THIGPEN, Revenue Officer,)	NO. C-05-0982-SC
)	
13 Petitioners,)	APPLICATION AND
)	<u>ORDER OF DISMISSAL</u>
14 v.)	
)	
15 ROBERT FLANIGAN,)	
)	
16 Respondent.)	

17
18 Petitioners United States of America and Linda Thigpen hereby advise the Court that
19 respondent Robert Flanigan has complied with the Court's Order Enforcing Summons and
20 request that this action be dismissed pursuant to Rule 41(a) of the Federal Rules of Civil
21 Procedure.

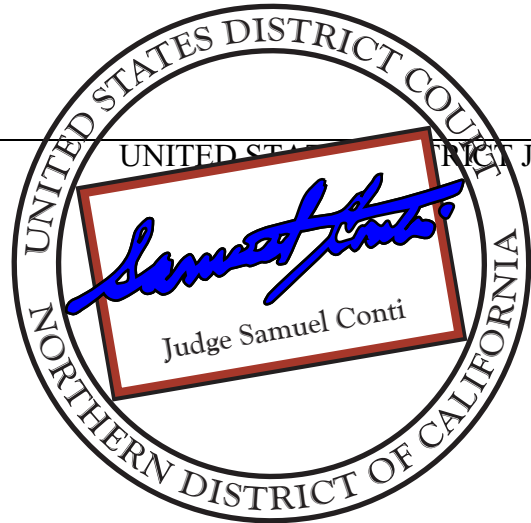
22 KEVIN V. RYAN
United States Attorney

23
24 /s/
25 DAVID L. DENIER
Assistant United States Attorney
26 Tax Division
27
28

ORDER

Upon the request of the petitioners and pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, this action is hereby dismissed.

ORDERED this 1, day of September, 2005, at San Francisco, California.



APPLICATION AND
ORDER OF DISMISSAL

CERTIFICATE OF SERVICE

I, **KATHY TERRY** declare:

That I am a citizen of the United States of America and employed in San Francisco County, California; that my business address is Office of United States Attorney, 450 Golden Gate Avenue, Box 36055, San Francisco, California 94102; that I am over the age of eighteen years, and am not a party to the above-entitled action.

I am employed by the United States Attorney for the Northern District of California and discretion to be competent to serve papers. The undersigned further certifies that I caused a copy of the following:

APPLICATION AND ORDER OF DISMISSAL

to be served this date upon the party(ies) in this action by placing a true copy thereof in a sealed envelope, and served as follows:

 X **FIRST CLASS MAIL** by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

 PERSONAL SERVICE (BY MESSENGER)

 FACSIMILE (FAX) No.: _____

to the parties addressed as follows:

Robert Flanigan
26614 Newport Street
Hayward, California 94545

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on **August 31, 2005** at San Francisco, California.

/s/
KATHY TERRY
Legal Assistant